

REMARKS

Claims 1-25 are pending in the application. Restriction of the claims under 35 U.S.C. §121 has been required. The claims were divided into Group I (claims 1 - 6) and Group II (claims 7 - 25). In response to the above-referenced communication, claims 7 - 25 are herein provisionally elected, with traverse. Claims 1 - 6 are herein provisionally withdrawn from consideration.

The requirement for restriction in the present application is respectfully traversed. The written restriction requirement alleges that restriction is proper because the claims of Group I and the claims of Group II are related as a process of making and product made. However, Applicant respectfully submits that such a relationship does not imply that Group I and Group II are independent and distinct inventions, and therefore is not a valid reason for requiring restriction. The patent statute specifically states in 35 U.S.C. §121 that restriction may be required if "two or more independent and distinct" inventions are claimed. The Examiner justified the requirement by stating that the package device can be formed by alternative methods such as using TAB tape to form a ball grid array. However, a method for forming a ball grid array is not relevant to the claimed invention. Applicant respectfully submits that a clear showing that the claims of Group I are independent from those of Group II has not been made. Therefore, the restriction is not justified under 35 U.S.C. §121.

Respectfully submitted,

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